

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 926

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Daniel R. Foley

AN ACT

RELATING TO HIGHER EDUCATION; INCREASING ELIGIBILITY FOR
TUITION SCHOLARSHIPS FROM THE LOTTERY TUITION FUND TO INCLUDE
MILITARY DEPENDENTS OF NEW MEXICO RESIDENTS; EXTENDING
ELIGIBILITY TIME REQUIREMENTS FOR STUDENTS WHO SERVE IN THE
UNITED STATE ARMED FORCES; AMENDING CERTAIN SECTIONS OF THE
NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 21-1-4.3 NMSA 1978 (being Laws 1996,
Chapter 71, Section 3, as amended) is amended to read:

"21-1-4.3. TUITION SCHOLARSHIPS AUTHORIZED--CERTAIN
EDUCATIONAL INSTITUTIONS.--

A. To the extent that funds are made available by
the legislature from the lottery tuition fund, the boards of
regents of New Mexico state university, New Mexico institute of
.165389.3

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
[bracketed material] = delete

1 mining and technology, eastern New Mexico university, western
2 New Mexico university, the university of New Mexico, New Mexico
3 highlands university and northern New Mexico [~~state school~~]
4 college shall award tuition scholarships for qualified resident
5 students attending their respective institutions and branches
6 of those institutions.

7 B. Except as authorized in [~~Subsection C~~]
8 Subsections C and D of this section, the tuition scholarships
9 authorized in this section shall apply only to full-time
10 resident students who [~~immediately upon completion of a high~~
11 ~~school curriculum at a public or accredited private New Mexico~~
12 ~~high school or upon receiving a graduate equivalent diploma,~~
13 ~~are accepted for entrance to and attend one of the state~~
14 ~~educational institutions set forth in this section or one of~~
15 ~~the branches of those institutions]:~~

16 (1) have completed:

17 (a) a high school curriculum at a public
18 New Mexico high school;

19 (b) a high school curriculum at an
20 accredited private New Mexico high school;

21 (c) an equivalent high school curriculum
22 at any high school and are the dependents of New Mexico
23 residents who are paying New Mexico income taxes but who, as a
24 result of service in the United States armed forces, are
25 stationed outside of New Mexico at completion; or

.165389.3

underscored material = new
[bracketed material] = delete

1 (d) any requirements for a general
2 education development certificate and have received the
3 certificate; and

4 (2) immediately upon completion of the
5 requirements of Paragraph (1) of this subsection, are accepted
6 for entrance to and attend one of the state educational
7 institutions set forth in this section or one of the branches
8 of those institutions.

9 C. Each tuition scholarship shall be awarded for up
10 to four consecutive years beginning the second semester of the
11 recipient's first year of enrollment, provided that the
12 recipient has maintained residency in New Mexico and maintained
13 a grade point average of 2.5 or higher on a 4.0 scale during
14 ~~[his]~~ the recipient's first semester of full-time enrollment.

15 ~~[G.]~~ D. The tuition scholarships authorized in this
16 section shall also apply to full-time resident students who
17 ~~[immediately upon completion of a high school curriculum at a~~
18 ~~public or accredited private New Mexico high school or upon~~
19 ~~receiving a graduate equivalent diploma]~~ meet any of the
20 requirements of Paragraph (1) of Subsection B of this section,
21 who attend a two-year public post-secondary educational
22 institution in New Mexico and who, upon the completion of that
23 curriculum or at the end of two years, whichever is sooner,
24 transfer to one of the post-secondary state educational
25 institutions set forth in this section. Those students shall

.165389.3

underscored material = new
[bracketed material] = delete

1 be eligible for a tuition scholarship for two consecutive
2 years, provided that those students maintain residency in New
3 Mexico, maintain a grade point average of 2.5 or higher on a
4 4.0 scale and attend the institution full time during the
5 regular academic year.

6 ~~[D.]~~ E. The tuition scholarships authorized in this
7 section shall also apply to full-time resident students who:

8 (1) meet any of the requirements of Paragraph
9 (1) of Subsection B of this section and within [one hundred
10 twenty days] one calendar year of completion [of a high school
11 curriculum at a public or accredited private New Mexico high
12 school, or of receiving a graduate equivalent diploma] of those
13 requirements begin service in the United States armed forces;
14 and

15 (2) within [~~one hundred twenty days~~] one
16 calendar year of completion of honorable service or medical
17 discharge from the service are accepted for entrance to and
18 attend one of the state educational institutions set forth in
19 this section.

20 ~~[E.]~~ F. The [~~commission on~~] higher education
21 department shall prepare guidelines setting forth explicit
22 student continuing eligibility criteria and guidelines for
23 administration of the tuition scholarship program. Guidelines
24 shall be distributed to the board of regents of each
25 institution to enable a uniform availability of the resident

.165389.3

underscored material = new
[bracketed material] = delete

1 student tuition scholarships."

2 Section 2. Section 21-13-10 NMSA 1978 (being Laws 1963,
3 Chapter 17, Section 9, as amended) is amended to read:

4 "21-13-10. BOARD DUTIES.--

5 A. It is the duty of the community college board to
6 determine financial and educational policies of the community
7 college. The community college board shall provide for the
8 management of the community college and execution of these
9 policies by selecting a competent president for the community
10 college and, upon the president's recommendation, the board
11 shall employ other administrative personnel, instructional
12 staff or other personnel as may be needed for the operation,
13 maintenance and administration of the community college.

14 B. The community college board shall have the power
15 to fix tuition and fee rates for resident and nonresident
16 students of the community college district, to accept gifts, to
17 accept federal aid, to purchase, hold, sell and rent property
18 and equipment and to promote the general welfare of the
19 institution for the best interest of educational service to the
20 people of the community college district.

21 C. To the extent that funds are made available by
22 the legislature from the lottery tuition fund, the community
23 college board shall award tuition scholarships for qualified
24 resident students attending their respective institutions.

25 D. The tuition scholarships authorized in this

.165389.3

underscored material = new
[bracketed material] = delete

1 section shall apply only to full-time resident students who
2 [~~immediately upon completion of a high school curriculum at a~~
3 ~~public or accredited private New Mexico high school or upon~~
4 ~~receiving a graduate equivalent diploma, are accepted for~~
5 ~~entrance to and attend a community college]~~:

6 (1) have completed:

7 (a) a high school curriculum at a public
8 New Mexico high school;

9 (b) a high school curriculum at an
10 accredited private New Mexico high school;

11 (c) an equivalent high school curriculum
12 at any high school and are the dependents of New Mexico
13 residents who are paying New Mexico income taxes but who, as a
14 result of service in the United States armed forces, are
15 stationed outside of New Mexico at completion; or

16 (d) any requirements for a general
17 education development certificate and have received the
18 certificate; and

19 (2) immediately upon completion of the
20 requirements of Paragraph (1) of this subsection, are accepted
21 for entrance to and attend a New Mexico community college.

22 E. Each tuition scholarship shall be awarded for up
23 to two consecutive years beginning the second semester of the
24 recipient's first year of enrollment, provided that the
25 recipient has maintained residency in New Mexico and maintained

.165389.3

underscored material = new
[bracketed material] = delete

1 a grade point average of 2.5 or higher on a 4.0 scale during
2 [~~his~~] the recipient's first semester of full-time enrollment.

3 [E.] F. The [~~commission on~~] higher education
4 department shall prepare guidelines setting forth explicit
5 student continuing eligibility criteria and guidelines for
6 administration of the tuition scholarship program. Guidelines
7 shall be distributed to community college boards to enable a
8 uniform availability of the resident student tuition
9 scholarships."

10 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws 1996,
11 Chapter 71, Section 6, as amended) is amended to read:

12 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED.--

13 A. To the extent that funds are made available by
14 the legislature from the lottery tuition fund, the board of a
15 technical and vocational institute shall award tuition
16 scholarships for qualified resident students attending a
17 technical and vocational institute.

18 B. The tuition scholarships authorized in this
19 section shall apply only to full-time resident students who
20 [~~immediately upon completion of a high school curriculum at a~~
21 ~~public or accredited private New Mexico high school or upon~~
22 ~~receiving a graduate equivalent diploma, are accepted for~~
23 ~~entrance to and attend a technical and vocational institute]:~~

24 (1) have completed:

25 (a) a high school curriculum at a public

.165389.3

underscored material = new
[bracketed material] = delete

1 New Mexico high school;

2 (b) a high school curriculum at an
3 accredited private New Mexico high school;

4 (c) an equivalent high school curriculum
5 at any high school and are the dependents of New Mexico
6 residents who are paying New Mexico income taxes but who, as a
7 result of service in the United States armed forces, are
8 stationed outside of New Mexico at completion; or

9 (d) any requirements for a general
10 education development certificate and have received the
11 certificate; and

12 (2) immediately upon completion of the
13 requirements of Paragraph (1) of this subsection, are accepted
14 for entrance to and attend a New Mexico technical and
15 vocational institute.

16 C. Each tuition scholarship shall be awarded for up
17 to two consecutive years beginning the second semester of the
18 recipient's first year of enrollment, provided that the
19 recipient has maintained residency in New Mexico and maintained
20 a grade point average of 2.5 or higher on a 4.0 scale during
21 [his] the recipient's first semester of full-time enrollment
22 with renewal of an additional two years upon transfer.

23 [C.] D. The [commission on] higher education
24 department shall prepare guidelines setting forth explicit
25 student continuing eligibility criteria and guidelines for

.165389.3

underscoring material = new
[bracketed material] = delete

1 administration of the tuition scholarship program. Guidelines
2 shall be distributed to the boards of technical and vocational
3 institutes to enable a uniform availability of the resident
4 student tuition scholarships."

5 - 9 -
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25